



REQUEST

FOR

CONTINUED EXAMINATION (RCE)
TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995

See The American Inventors Protection Act of 1999 (AIPA).

Application Number

09/524,747

Filing Date

March 15, 2000

First Named Inventor

Reiner

Group Art Unit

1623

Examiner Name

Howard V. Owens, Jr.

Attorney Docket Number

622-39

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

a. ☐ Previously submittedi. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____

(Any unentered amendment(s) referred to above will be entered)

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____iii. ☐ Other _____b. ☒ Enclosedi. ☒ Amendment/Replyii. ☐ Affidavit(s)/Declaration(s)iii. ☐ Information Disclosure Statement (IDS)iv. ☐ Other _____

2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 35 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)b. ☐ Other _____

3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

a. ☐ Applicant claims "small entity" status.b. ☒ Fees are attached as calculated below:i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) \$ii. ☐ Petition is made to extend the due date _____ months (less _____ months previously paid) \$iii. ☐ Other _____ \$c. ☒ Check in the amount of \$770.00 _____ enclosedd. ☐ Payment by credit card (Form PTO-2038 enclosed)e. ☒ The Director is hereby authorized to charge any deficiency in the fee(s) filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm), to Deposit Account No. 14-1140

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print Type)

Leonard C. Mitchard

Registration No. (Attorney/Agent)

29,009

Signature

Date

April 30, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print Type)

Signature

Date

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Commissioner for

770.00 DP

05/04/2004 WABDELRI 00000036 09524747
01 FC:1801



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

REINER et al

Atty. Ref.: 622-39; Confirmation No. 8132

Appl. No. 09/524,747

Group: 1623

Filed: March 15, 2000

Examiner: Howard V. Owens, Jr.

For: PHARMACEUTICAL COMPOSITIONS BASED ON DICLOFENAC

* * * * *

April 30, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

AMENDMENT

Responsive to the Official Action dated February 12, 2003 (for which a Request for Continued Examination is presented herewith), please amend the above-identified application as follows: